

**ATTACHMENT A**
Remarks

In the following remarks, the matters raised in the Office Action will be considered in the same order as raised.

Objections to the Drawings

Turning first to the drawings, "Figs 1A and 1B" have been objected to as containing unreadable text. It is respectfully submitted that there are no such figures in the pending application. The Remarks section of the Response to the previous Office Action contained an attachment with "Figures 1A and 1B," but the attachment was provided for explanation purposes only and was not labeled as a "New Sheet" or otherwise submitted as an amendment or addition to the drawings.

A replacement Figure 1, however, was submitted with the Response to the previous Office Action, wherein the figure was labeled "Prior Art." The replacement Figure 1 was submitted as an amendment to the drawings, and was properly labeled as a "Replacement Sheet." Confirmation that replacement Figure 1 is acceptable is respectfully requested.

Objections to the Claims

Claim 8 has been objected to as failing to comply with 37 CFR 1.75, which requires each element or step of a claim to be separated by a line indentation.

An amendment to claim 8 has made to include a line indentation between each element or step of the claim. It is respectfully submitted that this is a permissible amendment after final rejection, since only a matter of form is involved.

Claim Rejections – 35 USC 112

Claim 8 has been rejected under 35 USC 112, first paragraph, as failing to comply with the written description requirement with respect to the limitation “the connection is not in or to a wall outlet.”

An amendment has been made to claim 8, removing the subject phrase and thus overcoming the rejection.

Claims 8 – 9 and 12 – 13 have been rejected under 35 USC 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. It is stated in the Office Action that, with respect to claim 8, “[i]t cannot be determined which connecting cable and connection Applicant intends.

Claim 8 has been amended such that the “connecting cable” recited in the preamble to the claim is the same “connecting cable” recited later in the claims. It is further noted that the claim recites additional limitations regarding the “connecting cable” (namely, “the connecting cable connects said second part at least near to phase and zero rails of the electrical network” and “wherein the length of the connecting cable is under 5m”).

Claim Rejections – 35 USC 103

Claims 8 – 14 have been rejected under 35 U.S.C. 103(a) as being “unpatentable over Applicant’s admitted prior art (AAPA) in view of Yokoo (U.S. Patent No. 6,867,689).” This rejection is respectfully traversed.

Claims 8 and 13 have been further amended and claims 10, 11 and 14 have been canceled to place the claims into condition for allowance or in better form for appeal.

Claim 8 recites an improvement comprising, inter alia, "wherein the transmitter apparatus is divided into at least a first part and a second part, said second part including at least the signal amplifier and a connecting unit for connection to the electrical network, and the connecting cable connects said second part at least near to phase and zero rails of the electrical network; and wherein the length of the connecting cable is under 5 m."

It is respectfully submitted that neither AAPA nor Yokoo disclose at least the aforementioned features of independent claim 8. It is, of course, quite clear that AAPA does not teach that which is recited as the "improvement" in the claim. Further, it is respectfully submitted that the secondary citation to Yokoo also does not disclose these features in question. Accordingly, it is respectfully submitted that the asserted combination of AAPA and Yokoo is deficient, even in view of the knowledge of one of ordinary skill in the art.

Yokoo relates to a power line communication ("PLC") MODEM for transferring data from an information processing unit such as a personal computer through a power line (Yokoo, col. 1, lines 8 – 10). The PLC modem 40 includes a power supply portion 41 and a MODEM main body portion 42 (Yokoo, col. 1, lines 26 – 27). The MODEM main body portion 42 incorporates therein a MODEM circuit 42a, which converts a digital signal to an analog signal and vice versa (Yokoo, col. 1, lines 38 – 43). Reading the "power supply portion 41" as the "second part" recited in claim 8 (including reading

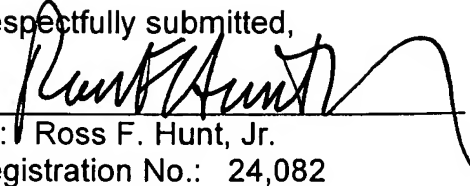
the "signal overlapping means 11h" as the "connecting unit" of claim 8), it is clear that Yokoo does not contain a teaching or suggestion that the "power supply portion 41" includes a signal amplifier. In fact, reading the "MODEM main body portion 42" as the "first part" and the "MODEM circuit 12a" as the "signal amplifier" (carrier wave amplifier) recited in claim 8, it is the "MODEM main body portion 42" (read "first part") that contains the "MODEM circuit 12a" (read "signal amplifier") (see: Yokoo, FIG. 1 and FIG. 2). Thus, Yokoo discloses, at best, a MODEM main body portion 42" (read "first part") including a "MODEM circuit 12a" (read "signal amplifier") and a "power supply portion 41" (read "second part") including a "signal overlapping means 11h" (read "connecting unit").

It is respectfully submitted that, in practice, with the Yokoo PLC modem, the signal will be greatly attenuated during transmitting thereof because the signal amplifier (carrier wave amplifier) is disposed in the MODEM main body portion which is located far distant from the attachment plug 11a (see: Yokoo, FIG. 1). On the other hand, in the transmitter apparatus recited in claim 8, the signal amplifier (carrier wave amplifier) is located in the "second part" very close to the attachment plug or other connecting point to the electrical network, such that during transmission, the load signal voltage U_{LOAD} is relatively very high because the length of the connecting cable L_W is very small and the length of the signal cable L_S is such that there is substantially no attenuation of the signal.

Allowance of the application in its present form is respectfully solicited.

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Respectfully submitted,



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